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COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

Model agreement between the United Nations and Member States contributing personnel and equipment to United Nations peace-keeping operations

Report of the Secretary-General

1. In paragraph 10 of its resolution 45/75 of 11 December 1990, the General Assembly welcomed "the initiative of the Secretary-General in preparing a model agreement between the United Nations and Member States contributing personnel to peace-keeping operations, while maintaining the flexibility needed to encompass different possible circumstances". Basing itself upon established practice and drawing extensively upon current agreements with countries contributing personnel, the Secretariat has prepared the model agreement annexed to the present report. The model is intended to serve as a basis for the drafting of individual agreements to be concluded between the United Nations and countries contributing personnel and equipment to a United Nations peace-keeping or similar operation. As such it is subject to modifications that may be agreed upon between the parties in each case.

2. The attached model, mutatis mutandis, will also serve as the basis for an agreement with a country not a Member State of the United Nations which may wish to contribute personnel and equipment to a United Nations peace-keeping operation.

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* A/46/50.

ANNEX

Draft model agreement between the United Nations and Member States contributing personnel and equipment to the United Nations peace-keeping operations

I. DEFINITIONS

1. For the purpose of the present agreement the following definitions shall apply: a/

II. ESTABLISHMENT OF THE UNITED NATIONS PEACE-KEEPING OPERATION

2. In the implementation of Security Council resclution [...] approving the report of the Secretary-General which contains the terms of reference of [the United Nations peace-keeping operation], an agreement is hereby concluded between the United Nations and the Government of [Participating State].

III. CONTRIBUTION

3. In accordance with the request of the Secretary-General, [the Participating State] shall contribute to [the United Nations peace-keeping operation] the following:

[- type and number of personnel

- general description of equipment]

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a/ This section will contain definitions of the main terms used in the agreement such as:

"Participating State" means a State contributing military and/or civilian personnel to the United Nations peace-keeping operation.

"Head of Mission" means the Special Representative/Commander appointed by the Secretary-General with the consent of the Security Council.

IV. APPLICATION OF THE STATUS AGREEMENT b/

4. The status agreement affirms the international nature of [the United Nations peace-keeping operation] as a subsidiary organ of the United Nations and defines the privileges and immunities, rights and facilities as well as the duties of [the United Nations peace-keeping operation] and its members.

5. Accordingly, the military and/or civilian personnel provided by [the Participating State] shall enjoy the privileges and immunities, rights and facilities and comply with the obligations provided for in the status agreement.

6. Pending the conclusion of such an agreement, the United Nations shall apply the customary principles and practices which are embodied in the model status-of-forces agreement.

V. AUTHORITY

7. During the period of their assignment to [the United Nations peace-keeping operation], the personnel made available by [the Participating State] shall remain in their national service but shall be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. Accordingly, the Secretary-General of the United Nations shall have full authority over the deployment, organization, conduct and direction of [the United Nations peace-keeping operation], including the personnel made available by [the Participating State]. In the field, such authority shall be exercised by the Head of Mission, who shall be responsible to the Secretary-General. The Head of Mission shall regulate the further delegation of authority.

8. The Head of Mission shall have general responsibility for the good order and discipline of [the United Nations peace-keeping operation]. Responsibility for disciplinary action with respect to military personnel made available by [the Participating State] shall rest with an officer designated by the Government of [Participating State] for that purpose.

VI. INTERNATIONAL CHARACTER

9. The functions of [the United Nations peace-keeping operation] are exclusively international and the personnel made available by [the Participating State] shall regulate their conduct with the interests of the United Nations only in view. Except on national administrative matters, they shall not seek or accept instructions in respect of the performance of their duties from any authority external to the United Nations, nor shall the Government of [Participating State] give such instructions to them.

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b/ See model status-of-forces agreement for peace-keeping operations (A/45/594).

10. The Government of [Participating State] may raise with the Secretary-General any matter relating to its personnel serving with [the United Nations peace-keeping operation].

VII. ADMINISTRATIVE AND FINANCIAL MATTERS

(a) Personnel

11. The Government of [Participating State] shall ensure that the personnel it provides meet the standards established by the United Nations for service with [the United Nations peace-keeping operation], inter alia, with respect to rank, experience, physical fitness, specialization, and knowledge of languages, and shall comply with whatever policies and procedures may be laid down by the United Nations regarding medical or other clearances, vaccinations, travel, shipping, leave or other entitlements.

12. During the period of their assignment to [the United Nations peace-keeping operation], the Government of [Participating State] shall be responsible for payment of whatever emoluments, allowances and benefits may be due to its personnel under national arrangements.

13. The United Nations shall convey to the Government of [Participating State] all pertinent information relating to the provision of the personnel mentioned in article III above, including matters of liability for loss or damage to United Nations property and compensation claims in respect of death, injury or illness attributable to United Nations service and/or loss of personal property.

(i) Military personnel

14. The general administrative and financial arrangements applicable to the provision of military personnel shall be those set forth in the Aide-mémoire for troop-contributing countries, the standard provisions applicable to military observers and other military personnel and/or the Notes for guidance of military observers applicable to [the United Nations peace-keeping operation], which are annexed hereto.

15. In the case of military observers, the United Nations shall meet the cost of travel to and from [the United Nations peace-keeping operation] and shall also pay a travel subsistence allowance while they are in official travel status. A mission subsistence allowance shall be payable for the duration of their assignment to [the United Nations peace-keeping operation] at a rate to be established by the Secretary-General, which may be subject to change. The mission subsistence allowance shall be deemed to constitute the total contribution of the United Nations towards the cost of meals, lodging, local transportation and other incidental expenses.

16. In the case of formed bodies of troops, the United Nations, in consultation with the Government of [Participating State], shall make

arrangements for the transportation of troop contingents and their baggage to and from [the United Nations peace-keeping operation]. It shall reimburse the Government of [Participating State] at the standard rate(s) established by the General Assembly in respect of pay and allowances, supplementary payment for specialists, usage factor for personal clothing, gear and equipment, and personal weaponry, including ammunition. c/ It shall also provide an allowance of $1.28 per person per day, payable in [appropriate local currency], to cover personal incidental expenses. d/ Appropriate accommodation and mess facilities shall be provided by the United Nations. Where the United Nations deems that the provision of such facilities is not possible or feasible, a mission subsistence allowance will be paid.

(ii) Civilian personnel

17. Civilian personnel provided by the Government of [Participating State] who are serving as part of a formed body of troops shall be assimilated to military members of formed bodies of troops for the purposes of this agreement.

18. Unless otherwise stated in writing, election observers, civilian police or other civilian personnel provided by the Government of [Participating State] and holding the status of experts on mission, shall be covered, mutatis mutandis, by the provisions of this agreement and of the Standard provisions and/or Notes for guidance applicable to military observers.

(b) Equipment/supplies/aircraft/vessels/services

19. The equipment/supplies/aircraft/vessel(s)/services described in article III above, shall remain the property of the Government of [Participating State]. Such equipment/supplies/aircraft/vessels/services shall not be substituted/withdrawn/curtailed/discontinued without the prior approval of the United Nations.

20. The value of all Government/contingent-owned equipment and other supplies made available to the United Nations shall be determined upon their arrival in and departure from [the United Nations peace-keeping operation]. The United Nations shall reimburse the Government of [Participating State] as compensation for usage of the equipment in the amount of the difference between the value of the equipment at the time it is brought in and the residual value when it is repatriated, in the case of short-term missions, or,

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c/ From July 1991, $988 per person per month for pay and allowances (all ranks); $291 per person per month supplementary payment for specialists, for up to a minimum of 25 per cent of logistic units and up to 10 per cent of other units; $65 per person per month for the usage factor for personal clothing, gear and equipment (all ranks)/$5 per person per month for personal weaponry, including ammunition (all ranks).

d/ This allowance may be phased out shortly.

in the case of missions extending over several years, at rates of 30 per cent, 30 per cent, 20 per cent and 20 per cent per annum respectively over a four-year period. In the case that the full incoming value of the equipment is reimbursed to the Government of [Participating State], the residual value of outgoing equipment at the completion of an operation shall be credited to the United Nations.

21. The aforementioned aircraft/vessel(s) shall retain its/their national registration but when so requested by the United Nations, and at its expense, the Government of [Participating State] shall arrange to affix United Nations insignia and to paint the aircraft/vessel(s) in United Nations livery.

22. The United Nations shall reimburse to the Government of [Participating State] the costs of preparation and deployment. In addition, the costs of operation, maintenance and depreciation of the aircraft/vessel(s), including crew rotation costs, shall be reimbursed at a fixed monthly rate of [amount]. Other crew costs shall be reimbursed according to standard rates for troop reimbursement where the United Nations provides accommodation and mess facilities. Where the United Nations considers that the provision of such facilities is not possible or feasible, a mission subsistence allowance will be paid. In the case of aircraft, spare parts, repairs, overhaul and maintenance and depreciation costs shall be reimbursed at a standard hourly rate of [amount] up to a maximum of [number] flying hours per month, including training or test flights.

23. The United Nations shall arrange appropriate third-party insurance. Any claim by the Government of [Participating State] in respect of loss of aircraft/vessel(s) while in service with the United Nations, shall be settled by negotiation, based on the residual value of the aircraft/vessel(s) at the time of the loss. The United Nations shall also entertain claims for extraordinary repair costs when such costs may result from a major operational incident occurring while the aircraft/vessel(s) remain in service with [the United Nations peace-keeping operation].

VIII. JURISDICTION

24. Questions relating to allegations of criminal offence and civil liability of personnel provided by [the Participating State] shall be settled in accordance with the procedures provided for in the Status Agreement.

25. [The Participating State] agrees to exercise jurisdiction with respect to crimes or offences which may be committed by its military personnel serving with [the United Nations peace-keeping operation]. [The Participating State] shall keep the Head of Mission informed regarding the outcome of such exercise of jurisdiction.

IX. NOTIFICATION OF WITHDRAWAL

26. The Government of [Participating State] shall not withdraw its personnel from [the United Nations peace-keeping operation] without giving adequate prior notification to the Secretary-General of the United Nations.

27. Should the services of any or all of the personnel provided by [the Participating State] no longer be required, the Secretary-General of the United Nations shall give adequate prior notification to the Government of [Participating State] for its withdrawal.

X. APPLICABILITY OF INTERNATIONAL CONVENTIONS

28. [The United Nations peace-keeping operation] shall observe and respect the principles and spirit of the general international conventions applicable to the conduct of military personnel. The international conventions referred to above include the four Geneva Conventions of 12 August 1949 and their Additional Protocols of 8 June 1977 and the UNESCO Convention of 14 May 1954 on the Protection of Cultural Property in the event of armed conflict. [The Participating State] shall therefore ensure that the members of its national contingent serving with [the United Nations peace-keeping operation] be fully acquainted with the principles and spirit of these Conventions.

XI. SETTLEMENT OF DISPUTES

29. Disputes between the United Nations and [the Participating State] concerning the interpretation or application of this agreement which are not settled by negotiation or other agreed mode of settlement shall be submitted to arbitration at the request of either party. Each party shall appoint one arbitrator, and the two arbitrators so appointed shall appoint a third, who shall be the Chairman. If within thirty days of the request for arbitration either party has not appointed an arbitrator or if within fifteen days of the appointment of two arbitrators the third arbitrator has not been appointed, either party may request the President of the International Court of Justice to appoint an arbitrator. The procedure of the arbitration shall be fixed by the arbitrators, and the expenses of the arbitration shall be borne by the parties as assessed by the arbitrators. The arbitral award shall contain a statement of the reasons on which it is based and shall be accepted by the parties as the final adjudication of the dispute.

XII. SUPPLEMENTAL ARRANGEMENTS

30. The Secretary-General of the United Nations and the Government of [the Participating State] may conclude supplemental arrangements to the present agreement.

XIII. MISCELLANEOUS PROVISIONS

31. The present agreement shall enter into force on ..., the date that the personnel provided by [the Participating State] assumes duties with [the United Nations peace-keeping operation].

32. The present agreement shall remain in force until the departure of the personnel provided by [the Participating State] from [host country/territory] either in accordance with the terms of paragraphs 26 or 27 or upon termination of [the United Nations peace-keeping operation] except that the provisions of paragraph 29 above shall remain in force until all outstanding claims have been settled.

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Corrigendum

Paragraph 16, footnote c, line 3

For a minimum of 25 per cent of logistic units read a maximum of 25 per cent of logistic units.

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OPERATIONAL ACTIVITIES FOR DEVELOPMENT

JOINT INSPECTION UNIT

Technical cooperation and the use of national professional project personnel

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Joint Inspection Unit entitled "Technical cooperation and the use of national professional project personnel (NPPP)" (JIU/REP/91/1).

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* A/46/50.

JIU/REP/91/1
Geneva, February 1991

ANNEX

TECHNICAL CO-OPERATION AND THE USE OF NATIONAL PROFESSIONAL PROJECT PERSONNEL (NPPP)

Prepared by
Salah E. Ibrahim
Joint Inspection Unit

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EXECUTIVE SUMMARY

The use of National Professional Project Personnel (NPPP) is analysed in the light of its contribution to the implementation of the technical co-operation of the United Nations system as a means to assist recipient countries in fostering their economic and social development. The financial, administrative and operational problems raised by the use of NPPP are referred to only whenever the analysis of the policy of using the services of NPPP requires, since these problems are under continuous consideration by the United Nations Development Programme (UNDP), the Consultative Committee on Substantive Questions (Operational Activities) (CCSQ(OPS)) in consultation with most of the specialized agencies.

It is in the interest both of the Member States and the United Nations system to have at their disposal statistics on NPPP that are comprehensive and as uniform as possible, so as to be able to analyse their contribution to the fulfilment of the objectives of technical co-operation. However, apart from UNDP, the agencies, with the exception of the Food and Agriculture Organization of the United Nations (FAO) and to a lesser extent the United Nations Educational, Scientific and Cultural Organization (UNESCO), do not collect and process statistics on NPPP.

The report, therefore, recommends that UNDP should establish its own internal system for the collection and dissemination of uniform and comparable statistical data on the various aspects of the use of NPPP. This gathering of statistical data should be organized at both ends of the chain, by requesting the help of resident representatives and resident co-ordinators in the field, and of the headquarters of the organizations and their regional offices in conjunction with the statistical, managerial and evaluation units of the secretariats of organizations of the United Nations system. UNDP should have regard to the recommendations of CCSQ(OPS) in this area, and in particular those concerned with general application of the procedure for the establishment of a data sheet for each NPPP. For these data to be of use, they should specify not only the various sources of finance, but also the different types of contract, the duration of the contract in man-months. The report recommends also that the Director-General for Development and International Economic Co-operation (DIEC) should analyse, in his Report on the Operational Activities of the United Nations System, these data, and make recommendations to the Economic and Social Council (ECOSOC) and to the General Assembly aiming at a more rational and efficient NPPP policy and to resolve the problems raised by the use of their services.

The employment of an ever-increasing number of NPPP does not find the same justification in the opinion of the host countries. It is rarely based on a prior analysis to show that, by comparison with the use of international expertise, it enables the objectives of technical co-operation for development to be achieved more effectively. The studies, evaluations and reports that have so far been produced have been concerned with devising better regulation

and harmonization of the use of NPPP within the United Nations system, but have only occasionally been concerned with outlining the basis of a policy relating the choice between NPPP and International Professional Project Personnel (IPPP) (or the use of the two categories of experts in specified proportions) to the realization of specific development objectives through technical co-operation.

Therefore, the report recommends that the United Nations system should: (a) devote technical co-operation funds to paying for the transfer of expertise by the use of international experts whenever such expertise is lacking in the country, when it is essential that it should be acquired, and when it corresponds to a priority need that cannot be satisfied by resorting to national expertise; (b) mobilize more local resources in expertise and in qualified personnel, making increasing use of Government execution and subcontracting to national institutions. While these procedures mobilize national expertise, they should not involve any change in the status of national experts or the awarding of any salary supplements or benefits in kind and should not give rise to conflicts like those that sometimes spring up between NPPP and other national officials; and (c) make more frequent and more extensive use of the expert capacity of developing countries by mobilizing many more experts from those countries as international experts employed in their own region and in the framework of technical co-operation among developing countries (TCDC), rather than using every expert in his own country as an NPPP.

INTRODUCTION

1 . This report on the role of National Professional Project Personnel (NPPP) in technical co-operation was undertaken at the request of the United Nations Industrial Development Organization (UNIDO). However, following discussions with the United Nations Development Programme (UNDP), the Consultative Committee on Substantive Questions (Operational Activities) (CCSQ(OPS)), several specialized agencies and the United Nations Secretariat especially the Office of the Director-General for Development and International Economic Co-operation (ODG/DIEC) and the Department of Technical Co-operation for Development (DTCD) -, it was decided to broaden the scope of the report so as to deal with the use of NPPP throughout the United Nations system.

2 . The main thrust of the report will be to examine the strategy and policy of using NPPP in the implementation of the technical co-operation of the United Nations system as a means to assist recipient countries in fostering their economic and social development. As to the financial, administrative and operational problems raised by the use of NPPP, we shall refer to them whenever the analysis of the strategy and policy of using the services of NPPP requires. We shall rely as far as these problems are concerned on the work carried out by UNDP and CCSQ(OPS) 1/.

1/ On this matter, see in particular the following documents: (a) Recent Trends in the Recruitment, Cost and Utilization of Project Personnel and Other Personnel Working in Development Co-ordination, thirty-second session of UNDP Governing Council, New York, 4-28 June 1985, DP/1985/9. (b) Report on the Experience with Use of National Experts, National Project Co-ordinators and National Subcontractors in Asia and the Pacific, UNDP, New York, March 1986. (c) National Professional Project Personnel; Report prepared by the CCSQ(OPS) Substantive Secretariat under the leadership of UNDP, 27 March 1987, ACC/1987/OP/CRP.3. (d) National Experts - Development of Guidelines and Criteria to Facilitate the Expanded Use of this Kind of Expertise; Note prepared by a CCSQ(OPS) Consultant, Mr. C.H. Harder, 27 March 1987. (e) Review of United Nations Agency Practice in the Employment of National Professional Project Personnel and Recommendations for Improvements; Note by the CCSQ(OPS) Secretariat, 27 August 1987, ACC/1987/OP/CRP.8. (f) Review of Programme and Project Activities: Project Personnel; Report of the UNDP Administrator, thirty-fifth session of UNDP Governing Council, 6 June-1 July 1988, Geneva, 15 March 1988, DP/1988/19/Add.1. (g) Report of the Joint CCAQ(PER)/CCSQ(OPS) Working Group on National Professional Project Personnel, 29 June 1988, ACC/1988/PER/R.27. (h) Report of UNDP Administrator to the Inter-Agency Consultative Meeting on Promotion of National Capacity; Highly Qualified Staff, New York, 12-14 December 1989; Short-Term Staff, National Professional Project Personnel, Contractors, etc., CCAQ(ADH), ACC/1990/PER/R.4, 13 February 1990.

3 . In the first part of this report we shall assess the share of NPPP in total experts in technical co-operation projects, and in the second part we shall assess the contribution of this category of expert to achieve the objectives of technical co-operation for development.

4 . Our warm thanks go to all United Nations and Government Officials we had the privilege to consult and who generously shared their experience and their ideas with us, and provided documentation without which this report could not have been prepared.

PART ONE. NPPP AMONG THE PROFESSIONAL PERSONNEL EMPLOYED ON TECHNICAL CO-OPERATION PROJECTS

5 . Although the use of national experts in the implementation of technical co-operation projects financed by the United Nations system as a whole is the subject of committee meetings of the Administrative Committee on Co-ordination (ACC), CCSQ(OPS) and CCAQ(PER), and although statistical and analytical studies and documents are regularly drawn up and submitted to ACC to assist in its deliberations, we still lack detailed and complete figures on the numbers of NPPP and on their distribution by agency, by fund and by country to be able to assess developments and the extent of the use of national experts.

6 . Fragmentary information available in the various reports of the ACC, the Administrator of UNDP, the Director-General for DIEC and the heads of agencies tends to confirm that: (i) NPPP are used mostly in the projects financed by UNDP, (ii) their numbers have risen continuously, especially in recent years, (iii) their distribution by agency is extremely unequal.

7 . In addition, the category of NPPP is not well defined since they do not have a well established legal status. Some agencies omit them from their statistics, especially in the case of NPPP recruited locally by the regional representatives who do not inform regularly their headquarters of NPPP they recruit, or do it with delay. It is therefore useful for the partial remedying of this deficiency to assemble the available figures for a quantitative assessment of the extent of the phenomenon before proceeding to analyse its implications.

A. NPPP throughout the system

8 . Given that the percentage of NPPP is higher in projects financed by UNDP than in those paid for by the specialized agencies, either from their regular programme or from their extrabudgetary resources, apart from resources coming from UNDP, it is necessary to outline the respective contribution of UNDP and of the specialized agencies to the financing of technical co-operation projects.

9 . It can be seen from table 1 (page 5) that the overall contribution of UNDP to the financing of technical co-operation projects was 37.8 per cent in the biennium 1986-1987 as against 43.4 per cent in 1982-1983 2/. However, the contribution of UNDP to the expenditure by agencies on technical co-operation varies widely. For example, it ranges from 100 per cent for the World Tourism Organization (WTO) to only 4 per cent for the World Health Organization (WHO).

10 . Generally speaking, it might be said that among specialized agencies, those for which UNDP contributions constitute a relatively small part of their total expenditure on technical co-operation, use less NPPP than others and seem to a certain extent less interested in the collection of detailed information on their use. Somewhat detailed statistics on NPPP are currently available in UNDP documents in one or two larger specialized agencies of the United Nations system, in particular the Food and Agriculture Organization of the United Nations (FAO).

B. NPPP by organization

11 . For the reasons mentioned above, we shall distinguish between NPPP financed out of UNDP funds and those financed out of the funds of the agencies: on the one hand because UNDP makes far more use of the services of NPPP than do the agencies, and on the other hand because UNDP is ahead of the agencies as regards the collection of statistics on the numbers of NPPP and in analysing the impact of NPPP on the implementation of technical co-operation projects.

1. United Nations Development Programme (UNDP)

12 . Because of its awareness of the need for a regular supply of comparable statistical data for the proper assessment of the implications of the increasing use being made of the services of NPPP, UNDP took the initiative

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2/ Although the funds allocated to technical co-operation rose in absolute value from 2.7 billion dollars in 1982-1983 to 3.3 billion dollars in 1986-1987, this increase in current dollars only partly offsets inflation and it can be said that in present day dollars the amounts allocated to technical co-operation by UNDP have tended to fall between the two biennia.

Table 1. Total agency technical co-operation project expenditure by source of financing for the biennium 1986-1987

(Thousands of US dollars)

Agency	Regular programme	UNDP	Other extrabudgetary	Total
FAO	72,439	262,148	303,207	637,794
United Nations a/	14,511	219,646	95,341	329,498
UNIDO	5,800	141,700	49,900	197,400
ILO	24,031	95,035	99,519	218,585
UNESCO	9,600	62,537	76,763	148,900
UNDP/OPS	-	120,912	159,800 b/	280,712
ICAO	-	65,489	23,284	88,773
ITU	6,791	45,044	9,623	61,458
WHO	419,884	37,379	363,541	820,804
UNCTAD	930	16,116	6,487	23,533
ITC	-	20,794	24,612	45,406
UNCHS	1,067	25,834	2,680	29,581
AsDB	37,976	12,453	3,519	53,948
ECA	3,153	11,125	8,620	22,898
ESCAP	2,818	12,799	16,691	32,308
ECLAC	1,474	3,020	11,853	16,347
ECE	-	463	1,191	1,654
ESCWA	1,694	1,122	1,768	4,584
WHO	501	22,683	6,860	30,044
IMO	-	10,563	8,053	18,616
IAEA	72,669	4,692	23,511	100,872
WIPO	5,086	4,555	3,606	13,247
UPU	1,946	3,386	1,075	6,407
WTO	-	4,147	-	4,147
Total 86-87	682,370	1,203,642	1,301,504	3,187,516
	(21.4%)	(37.8%)	(40.8%)	(100.0%)
Total 82-83	547,718	1,193,618	1,007,193	2,748,529
	(20.0%)	(43.4%)	(36.6%)	(100.0%)

a/ Mainly United Nations Department of Technical Co-operation for Development (DTCD).

b/ Includes activities related to management services.

Source: Report of the UNDP Administrator on Agency Support Costs, DP/1988/54, 6 May 1988, p. 6.

/...

of setting up data-collecting machinery and of trying it out in its offices in the field in order to establish the conditions for its operation before extending it to cover the whole of the United Nations system 3/.

13 . As far as the projects that the UNDP itself finances, data on the use of NPPP are published regularly in the Annual Report of the UNDP Administrator. The 1988 Report 4/, published in 1989, gives statistics for all countries for 1987 and 1988 and distinguishes between NPPP and International Professional Project Personnel (IPPP) (see table 2, page 7). Whereas the number of NPPP was only half the number of IPPP in 1987, 4,888 as against 8,385, the number of NPPP had practically doubled in 1988, rising from 4,888 to 9,869, whereas the number of IPPP remained more or less the same in both years: 8,642 as against 8,385. Statistics expressed in man-months rather than as the number of individuals would have been more accurate, because the length of NPPP contracts may vary between one and twelve months, although their term does not exceed six months for some agencies and is twelve months for others. Provisional tables computed by UNDP Report of the Administrator provide for 1989 figures which amplify the trend observed in 1987 and 1988.

14 . These statistics also reveal that more than half the NPPP were concentrated in six countries in 1988, five of which were countries of Latin America: Argentina (1,544), Brazil (660), Colombia (596), Peru (538) and Bolivia (394), and one was Asian: China (2,225).

15 . Latin America employs more than half the NPPP. Over and above the five Latin American countries referred to in the previous paragraph, five other countries of the same continent use the services of more than 100 NPPP: Uruguay (272), Guatemala (160), Cuba (160), Costa Rica (127) and Chile (108).

16 . In Asia, where China alone employs more than a quarter of all the NPPP in the world, only six other countries make use of an appreciable number of NPPP: Indonesia (282), Bangladesh (147), Nepal (187), the Philippines (99), Sri Lanka (93) and India (75). The fact that Bangladesh and Nepal make more

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3/ Report of the UNDP Administrator on Agency Support Costs, DP/1988/54, 6 May 1988.

4/ Annual Report of the UNDP Administrator of 1988, 15 May 1989, DP/1989/13/Add.3.

Table 2. Project personnel, by country, 1987 and 1988 a/

Country	International experts b/ 1987	1988	National experts b/ 1987	1988	Country	International experts b/ 1987	1988	National experts b/ 1987	1988
Afghanistan	2	4	3	10	Malawi	2	6	6	12
Argentina	151	155	862	1544	Mali	19	30	16	17
Bahrain	3	-	-	11	Mauritania	-	3	5	46
Bangladesh	25	25	179	147	Mexico	42	60	79	88
Benin	11	11	7	51	Morocco	17	23	6	34
Bolivia	29	27	254	394	Mozambique	3	1	20	49
Brazil	115	140	164	660	Nepal	16	19	106	187
Burkina Faso	17	15	154	35	Nicaragua	9	9	5	30
Burundi	4	3	7	20	Niger	-	4	7	51
Cameroon	7	31	12	26	Nigeria	10	23	8	20
Central African Republic	1	3	15	21	Oman	-	-	-	19
Chad	1	3	3	30	Pakistan	77	100	17	13
Chile	221	189	77	108	Panama	7	8	9	10
China	17	16	420	2225	Papua New Guinea	3	-	1	10
Colombia	73	61	272	596	Paraguay	2	1	32	33
Costa Rica	17	15	28	127	Peru	75	81	315	538
Côte d'Ivoire	6	28	9	23	Philippines	115	118	50	99
Cuba	10	12	51	160	Poland	270	237	-	11
Dominican Republic	2	3	8	21	Rwanda	2	4	119	199
Ecuador	21	20	54	74	Saudi Arabia	1	1	14	20
Egypt	90	79	28	58	Senegal	31	54	36	58
El Salvador	9	8	13	40	Sierra Leone	3	8	5	22
Equatorial Guinea	-	-	-	21	Somalia	6	2	11	30
Ethiopia	27	41	15	19	Sri Lanka	61	70	54	93
Ghana	48	60	17	47	Sudan	30	29	8	20
Guatemala	19	18	56	160	Swaziland	1	2	1	45
Guinea	2	5	4	20	Thailand	28	42	12	72
Haiti	5	7	20	30	Togo	10	19	14	24
Honduras	4	4	64	36	Tunisia	66	65	44	12
Hungary	95	108	-	10	Uganda	12	15	11	31
India	393	386	47	75	United Republic of Tanzania	15	17	18	12
Indonesia	13	15	168	282	Uruguay	49	32	216	272
Jamaica	18	19	55	17	Venezuela	26	35	48	73
Jordan	27	28	5	17	Yugoslavia	90	95	69	68
Kenya	18	39	12	119	Zaïre	14	12	10	10
Liberia	1	2	8	16	Zimbabwe	4	16	3	12
Madagascar	6	11	8	23	SubTotal c/	2624	2832	4474	9613
					Others d/	5762	5715	368	256
					Total e/	8386	8547	4842	9869

a/ The data in this table are based on projects financed from the Indicative Planning Figures, Special Programme Resources, Special Measures Fund for Least Developed Countries, Special Industrial Services and Cost-Sharing.

b/ Includes all experts, international and national as appropriate, who worked on projects financed from sources in a/. Aside from experts fielded by executing agencies, experts who were members of firms and organizations working under subcontract to the participating/executing agencies, operational assistance and associate experts are also included.

c/ All countries using more than 10 NPPP in 1988.

d/ All countries using less than 10 NPPP in 1988 and which are not listed above.

e/ Total all countries (c + d).

Source : Annual Report of the UNDP Administrator for 1988, DP/1989/13/Add.3, pp. 35 to 40, 15 May 1989.

use of the services of NPPP than does India is connected with the policies pursued by these countries as much towards NPPP themselves as to all national officials. We shall return subsequently to these differences in the assessment of the relationships between NPPP and officials remaining in the employ of the Administration.

17 . The African region employs less than 5 per cent of all NPPP. It is noteworthy that the African countries with the most NPPP are Rwanda (199 in 1988) and Burkina Faso (154 in 1987). Meanwhile, the two countries of the continent that are the most heavily populated and have the largest number of trained personnel (Nigeria and Egypt) respectively make use of only 20 and 58 NPPP. That is due to the fact that in Africa, as in other regions, the variations in the number of NPPP from country to country are more a reflection of different approaches than of well defined policy and strategy. We shall return subsequently to this matter.

2. United Nations Department of Technical Co-operation for Development (DTCD)

18 . In numbers, NPPP occupy a significant place in United Nations/DTCD's overall programme (nearly 400 in 1989, compared to some 1,200 internationally recruited experts). This reflects the special efforts exerted by United Nations/DTCD through its recruitment policies to make greater use of the capacities of developing countries. Among these efforts are the biennial meetings organized by United Nations/DTCD of the National Recruitment Services (NRS) with the purpose above all of increasing participation of nationals from the developing countries as internationally-recruited experts and consultants in United Nations technical co-operation activities. Training is also carried out by United Nations/DTCD to foster the creation of NRS in developing countries lacking such a service.

19 . The role of the NRS in the developing countries, it should be noted, needs not to be circumscribed to finding candidates for international recruitment. It could also assist the improvement of standards for selection of NPPP which vary widely. The NRS could also help increase the number of candidates from developing countries for Associate Expert posts, since a number of donor countries have at various times offered to sponsor such candidates.

3. NPPP in projects financed by the specialized agencies

20 . As previously stated, the situation as regards the use of NPPP differs appreciably from one specialized agency to another as regards the share of NPPP in the total number of professional project personnel, national and international. An attempt will be made in the paragraphs below to assemble the disparate data available for the main specialized agencies.

(a) World Health Organization (WHO)

21 . As indicated in table 1 (page 5), WHO devoted more than 820 million dollars to technical co-operation in 1986-1987, of which only 37 million dollars came from UNDP. In 1988-1989, the total budget of WHO reached 1,413 million dollars, of which 609 million dollars were for the regular programme and 804 million dollars for the other programmes. In a statement made by the Director-General in his 1988 Report on the Work of WHO, 70 per cent of the budget was currently devoted to technical co-operation activities.

22 . There is, however, no available breakdown of the allocation of these amounts between the various components of technical co-operation projects (personnel, fellowships, equipment, etc). Moreover, WHO does not appear to draw a distinction between national and international professional personnel made available to countries and/or employed in technical co-operation projects. Generally speaking, it might be said that with very few exceptions, WHO's policy is not to employ nationals in their own country. Any such staff employed at present or in the past have been appointed under the normal employment conditions for professional staff, not as "National Professionals", and have been assigned at the global, regional or inter-country level and not to country projects. Sometimes the collaboration of nationals is obtained through special service agreements.

23 . On the contrary, the statistics of the Pan American Health Office (PAHO) do give an approximate figure for the percentage of NPPP among all experts recruited to carry out technical co-operation projects. At present, rounding off the numbers, 200 of the 3,500 professionals employed by PAHO in technical co-operation projects, or around 6 per cent, are NPPP.

(b) Food and Agriculture Organization of the United Nations (FAO)

24 . FAO, whose expenditure on technical co-operation in 1986-1987 amounted to nearly 638 million dollars out of a total of 3,284 million dollars for the whole system (see table 1, page 5), concentrates 80 per cent of its activities in the food and agricultural sector, leaving 10 per cent for forestry and 10 per cent for fishing. The food and agricultural sector has several important subsectors: natural resources, crops, livestock rearing, nutrition, agricultural research, rural development and agricultural policies.

25 . The statistics of FAO on NPPP, which are mainly concerned with agriculture, show that their numbers increased practically threefold between 1985 and 1988 (see table 3), rising from 116 to 345. However, the latter figure would appear to be an understatement, because it covers only NPPP recruited by FAO headquarters. The other 701 NPPP locally recruited in 1988 by regional representatives of FAO should be added, as should a number of National Directors (ND) who do not figure in the statistics of FAO, because they are not paid by FAO. For example, in February 1990, FAO was employing 334 ND in the agricultural sector.

Table 3. FAO: Agriculture sector - Number of project staff on payroll, 1985-1988

Category	1985	1986	1987	1988
Long-Term Field Project Officers (FPO)	1,144	1,109	1,050	985
Consultants (CST) and Special Service Agreement (SSA)	813	970	1,008	967
Associate Professional Officers (APO)	252	235	215	206
National Staff	116	107	149	345
Total	2,325	2,421	2,422	2,503

Source: The Review and Appraisal of Agriculture Operation Division, in 1988, FAO, June 1989.

26 . It may be said that FAO uses more than 1,000 NPPP for its projects in the agricultural sector and nearly 1,200 NPPP for all its projects (agriculture + forestry + fishing).

(c) United Nations Educational, Scientific and Cultural Organization (UNESCO)

27 . In 1988, NPPP accounted for 65 per cent of all professional personnel in projects implemented by UNESCO and financed by UNDP. In absolute terms, the number of NPPP expressed in man-months rose over the period from 710 to 2,181, while the figure for IPPP fell from 2,144 to 755 man-months (see table 4). This reduction essentially reflects a shortening of the missions of IPPP rather than a reduction in their number. Such a phenomenon has very important implications for the system overall, particularly in terms of the increase in supporting costs.

Table 4. UNESCO: UNDP-financed projects
Evolution of the proportion of International and National Project Personnel

Year	International Personnel			National Project Personnel	Percentage		
	Experts	Consultants	Total		Total	Intern. Personnel	National Personnel
	m/m	m/m	m/m	m/m	m/m	%	%
1983	2,144	561	2,705	710	3,415	79	21
1984	1,509	624	2,133	1,274	3,407	63	37
1985	1,298	500	1,798	1,503	3,301	54	46
1986	1,073	617	1,690	1,880	3,570	47	53
1987	838	383	1,221	1,620	2,841	43	57
1988	755	424	1,179	2,181	3,360	35	65

Source: Internal UNESCO documents.

(d) Other agencies

28 . Irrespective of their size, of the amount of their technical co-operation budget and of the proportion of the funds provided by UNDP, the other agencies employ only a small number of NPPP. For instance, the International Labour Office (ILO), which currently has between 600 and 700 experts in the field, has recruited some 60 NPPP, the International Atomic Energy Agency (IAEA), the International Telecommunication Union (ITU), the World Meteorological Organization (WMO), each have less than 15 NPPP.

C. Conclusions and recommendations

29 . Bearing in mind that nearly a quarter of the professionals recruited to carry out technical co-operation projects are NPPP, that their numbers have risen very rapidly over the last five years, and that NPPP are still used in the main in projects financed by UNDP, it is undoubtedly the case that the trend towards the use of NPPP is bound to extend and expand in the years to come, to take in more regions and countries, and more programmes and agencies.

30 . As we have seen above, only UNDP and FAO are currently collecting and publishing fairly detailed numerical information concerning NPPP. However, information provided by UNDP does not cover important aspects, for example what proportion of the budget of projects is devoted to NPPP whose salaries are charged to the Indicative Planning Figures (IPF) or to trust funds; and how significant is cost-sharing. As we shall see subsequently, these various modes of financing have considerable consequences.

31 . Apart from UNDP, the agencies, with the probable exception of FAO and, to a lesser extent, UNESCO, do not collect and process statistics on NPPP. That may be attributed to the fact that more than nine tenths of NPPP are employed on projects financed out of UNDP funds, by virtue of which they are covered by the statistics of that programme. The key role that UNDP plays in the collection and dissemination of statistical data on NPPP, not only in the projects that it finances, but also in those that are the responsibility of the agencies, appears to be justified.

32 . It is in the interest both of the Member States and of the United Nations system to have at their disposal statistics on NPPP that are both comprehensive and as uniform as possible so as to be able to analyse the phenomenon and to adopt appropriate policies. We therefore make the following recommendations:

Recommendation No. 1

UNDP should establish its own internal system for the collection and dissemination of uniform and comparable statistical data on the various aspects of the use of NPPP. This gathering of statistical data should be organized at both ends of the chain, by requesting the help of resident representatives and resident co-ordinators in the field, and of the headquarters of the organizations and their regional offices in conjunction with the statistical, managerial and evaluation units of the secretariats of organizations of the United Nations system. UNDP should have regard to the recommendations of CCSQ(OPS) in this area, and in particular those concerned with general application of the procedure for the establishment of a data sheet for each NPPP 5/. For these data to be of use, they should specify not only the various sources of finance, but also the different types of contract, the duration of the contract in man-months.

Recommendation No. 2

In his Report on the Operational Activities of the United Nations System, the Director-General for Development and International Economic Co-operation should analyse these data, and make recommendations to ECOSOC and to the General Assembly aiming at a more rational and efficient NPPP policy and to resolve the problems raised by the use of their services.

5/ CCSQ(OPS), 1st regular session, Geneva, 27-29 April 1987; information paper, 27 March 1987, p. 16.

PART TWO. THE POLICY OF USING THE SERVICES OF NPPP

A. The grounds for using NPPP

33 . Various factors may condition the aims of technical co operation: these include the specific nature of the economic, social or humanitarian sectors concerned, the efficiency of the executing agency involved and the capacity of the recipient country to benefit from and to play a part in technical co-operation. Be that as it may, the ultimate aim of technical co-operation remains transfer of the knowledge and skills of countries that have gone along the path of development ahead of others and that have the means to communicate in this way to countries that are less advanced or lack resources; in which context the United Nations system is entrusted with the responsibility for effecting the transfer through the financing and implementation of programmes and projects.

34 . At the outset, the United Nations system had to provide the recipient countries with experts and equipment, and to train personnel. The aim pursued by the United Nations system was to use such transfer to strengthen Government departments, to improve their managerial capacities and to fit them to carry out activities in the various sectors: sciences, research, education, agriculture, industry, trade, the infrastructure, administration, etc.

35 . A whole range of measures was introduced to increase the effectiveness of the activities undertaken by the system: the preparation of country programmes to integrate these activities into the economic and social development objectives of the country concerned; evaluation of projects in the course of implementation with a view of taking any corrective measures required; evaluation on completion so as to draw lessons for the future, etc.

36 . Having regard to the progress made by most developing countries, UNDP, and some specialized agencies such as FAO, have gradually turned to Governments and national experts and entrusted the implementation of technical co-operation projects to them: Government execution, subcontracting to national institutions, the purchase of equipment manufactured by developing countries, the recruitment of experts originating from those countries, the training of fellowship holders in the universities and centres of excellence of those countries.

37 . Specific measures have been taken and special funds set up to meet the needs of specific groups of developing countries, such as the special measures for the least developed countries (LDC), the special fund for the Sudanese and Sahelian lands affected by drought and desertification: the United Nations Sahelian Office (UNSO), and the United Nations Capital Development Fund (UNCDF). Furthermore, UNDP is increasingly encouraging those developing countries that have reached a more advanced stage themselves to carry out technical co-operation projects (Government execution). In other countries, and at their request, UNDP is more readily agreeable to allocate a larger share of the IPF to training and the purchase of equipment than that allocated to international experts, fewer of whom have been recruited and for shorter missions.

38 . It was in the awareness of all these facts that the United Nations General Assembly recommended in 1970 that, whenever appropriate, qualified nationals should be designated as project managers, assisted by international specialists 6/.

39 . Five years later, the General Assembly adopted resolution 3405(XXX) on new dimensions in technical co-operation which endorsed the decision adopted by the Governing Council of UNDP on the basis of a Report of the UNDP Administrator 7/. In that Report, the UNDP Administrator set out the main arguments in favour of making more consistent use of the services of NPPP. According to the UNDP Administrator, an obligation to make use only of foreign expertise for the carrying out of projects would run counter in many instances to the strengthening of national institutions and capacities.

40 . This UNDP policy was embodied in new instructions (guidelines) in August 1979, the implementation of which was evaluated on the occasion of an inter-agency meeting organized by UNDP in October 1982. That led to the revision, in 1983, of the Programme and Project Manual (PPM) of UNDP, several sections of which were concerned with NPPP 8/.

6/ Paragraph 46 of the Annex to resolution 2699(XXV) on the capacity of the United Nations Development System.

7/ DP/114.

8/ The chapters of the PPM concerned with NPPP were once again revised and expanded in 1988.

41 . The General Assembly returned to the matter in 1986 and in resolution 41/171 endorsed the recommendations adopted in the same year by ECOSOC 9/, which reiterated "the need for all organizations of the United Nations system to make greater use of the capacities of developing countries, inter alia through the use of national experts and consultants".

42 . At the same time, faced with the growing importance being accorded to NPPP, UNDP and ACC included on their agendas the problems raised by such a procedure. UNDP recruited a consultant to draw up a report to deal exclusively with the use of NPPP in the Asian region. While that assignment was being carried out, it was decided that the report should cover the whole system and all regions 10/. Another consultant produced a report on the use of NPPP by the organizations of the system on behalf of CCSQ(OPS). That report was discussed by CCSQ(OPS) at its October 1987 session 11/.

43 . Since that time UNDP and ACC have periodically examined the employment of NPPP on the basis, inter alia, of the reports by the two consultants. Thus, the UNDP Administrator, pursuant to decision 87/5 of his Governing Council, which requested him, in particular, to organize discussions with the relevant agencies of the United Nations system to set up a data base for analysis of the effectiveness of the various types of experts, including NPPP, submitted a report on this question to the thirty-third session of the Governing Council of UNDP 12/. For its part, ACC organized a joint meeting in 1988 of CCAQ(PER) and CCSQ(OPS), which prepared a report on the financial and administrative aspects of the employment of NPPP 13/.

44 . The analysis of the decisions, resolutions and recommendations adopted by the legislative bodies of United Nations system organizations, and of the measures, regulations and procedures formulated and applied by the secretariats of the organizations, shows that whereas the administrative and financial aspects, and even the operational aspects of the employment of NPPP

9/ Resolution 1986/74 of 23 July 1986 entitled "Policy review of operational activities for development".

10/ Report by N.H. Bradshaw, New York, March 1986.

11/ Report by C.H. Harder, ACC/1987/DI/CRP.8, 27 August 1987.

12/ DP/1988/19/Add.1, 15 March 1988.

13/ ACC/1988/PER/R.25, 29 June 1988.

are given sustained attention, too little thought has as yet been devoted to ascertain whether the policy of using NPPP contributes to the achievement more efficiently of the main development objectives.

45 . Most organizations of the United Nations system appear at the present time to regard the use of NPPP as one of the most effective means of obtaining the direct participation of developing countries in the carrying out of technical co-operation projects. Such a result does not, however, appear to be obvious for a number of the developing countries and specialized agencies.

46 . Several recipient countries have differing opinions on the employment of NPPP. Some developing countries, especially those that employ large numbers of officials, do not want the United Nations system to seek to recruit NPPP because they wish to avoid a situation in which the officials recruited would receive a higher salary than that of their colleagues remaining in the administration, which would be bound to give rise to needless conflicts between them.

47 . In order to avoid any dispute, some developing countries accept only IPPP, reserving for themselves the task of assigning national counterparts who do not receive any additional salary or any additional benefit in kind to work with them. Other developing countries prefer to carry out their technical co-operation projects directly rather than to make use of the services of IPPP and NPPP.

48 . There is also a category of developing countries that in practice reject all IPPP and save the posts of United Nations experts and project managers for their nationals. Some require that when their nationals are recruited as NPPP they should enjoy the same benefits as if they were IPPP.

49 . Some developing countries, in order to increase the number of their NPPP, are prepared to advance appreciable sums in hard currency to the United Nations in the form of cost-sharing so as to pay these NPPP. The case of these countries practically abolishes the notion of "additionality" of the United Nations system because they devise their own projects, recruit the NPPP needed to carry them out and provide the hard currency required reducing the United Nations contribution to nothing. For United Nations system organizations, such a practice amounts to a roundabout form of the "laundering of money", to which the system becomes a party.

50 . Another category of developing countries use NPPP almost as if they were counterparts, i.e. they are assigned to IPPP without any change in their status as officials or members of an organization or Government institution. NPPP of this kind receive their salary in local currency without any supplement or any benefit of any kind from the United Nations. They are directly selected by the country which sometimes does not consult or inform either UNDP or the implementing agency. Although the payment of these NPPP figures as a budget line in the project document, neither UNDP nor the agency has any means of knowing who they are individually or by name. In the upshot UNDP or the executing agency learns of the number and duties of these NPPP through the questionnaires they send to the countries or at tripartite meetings, but incompletely and with much delay.

51 . The justifications put forward in most developing countries are essentially of a material kind and have practically no relation with a policy aimed at getting the best out of international and local expertise for the carrying out of priority development programmes and projects.

52 . As regards the specialized agencies, they are generally convinced that an increasingly large place should be allocated to NPPP. Some agencies are even attempting to work out and apply criteria for the rational allocation of expert posts between national and international workers. For example, they set aside for NPPP those duties that require an understanding of national characteristics relating to a precise area of knowledge that implies mastery of a national language little spoken internationally and call upon the services of IPPP in order to benefit from the experience that the latter have gained in other countries.

53 . However, some specialized agencies question the validity of the arguments used to justify intensive use of NPPP. They consider that accepting to carry out a project should depend on its contribution to the development of the country and not on whether or not two or three NPPP are used for a few months. Furthermore, the existence of many national experts in a country does not provide sufficient grounds for requiring that they be employed on United Nations projects. The opposite could even be argued: if a country has adequately qualified experts in a given sector, it ought logically to refrain from submitting requests to the United Nations for the carrying out of technical co-operation projects. The same specialized agencies argue that in some cases the United Nations system should refrain from nominating NPPP,

from supplementing their salaries, or from providing them with other benefits (per diem, vehicles, drivers), in order to avoid creating friction within the administration of the recipient countries.

54 . Lastly, the fact that nationals are employed on bilateral and multilateral co-operation and that the salaries that they receive are often higher than those paid to NPPP is no reason for the United Nations system to make systematic use of NPPP without examining the implications of so doing.

55 . As regards the UNDP, although it is clearly stated in its PPM 14/ that national and international candidates should be considered when selecting professionals for projects, in order to identify the best candidates, no indication is given as to the criteria to be applied to making the choice; it is merely stated that particular attention should be paid to the cost of each of these two categories of professional in making the selection. As can be seen, the financial aspect also predominates for UNDP. As regards the basic aspects of the optimum use of national and international talents and their mutual enrichment, it appears that they are regrettably not a major concern for the authors of the UNDP Manual.

B. The main problems raised by the policy of using NPPP

56 . Although the employment of NPPP does offer some advantages, it may have adverse effects in some cases. We shall proceed to examine the main stumbling blocks to be avoided by any policy for the systematic use of NPPP, especially the risk of creating in NPPP a less favoured category of personnel, on the one hand, and the mistaken belief that the use of NPPP is a less costly source of expertise for the recipient countries, on the other hand. We shall also debate the question of using ND as a means of asserting the authority of the host Government. First, we shall deal with the serious problem of the lack of objective criteria for selection of the best NPPP.

14/ See section 30400 of the revised version of the PPM.

1. Limitations on the ability to select the most suitable NPPP

57 . Purely logically, the best NPPP should be selected from among several candidates on the basis of objective criteria and having regard to their respective qualifications. Similarly, the responsibility of the organization empowered to make such a selection should be clearly laid down in the regulations and conventions between the various implementing agencies and funds of the United Nations system.

58 . As far as UNDP is concerned 15/, it delegates the recruiting of appropriate NPPP to the specialized agencies, for the projects for which they are responsible. In return, UNDP asks the specialized agencies to be responsible vis-à-vis the recipient countries for the quality of the NPPP that they engage, leaving it in some cases to the Governments concerned to submit candidates for NPPP posts to the agencies. Although the roles would appear to be well allocated, UNDP has nothing to say concerning the criteria to be followed by the Governments and the agencies in making their choice.

59 . With special reference to the category of ND, UNDP is more explicit regarding the procedures and rules applicable to their selection. UNDP stipulates that ND should preferably be drawn from the Government service. It furthermore indicates that the role of ND as project co-ordinators may be delegated to the agencies by the Government and places no limitation on the recruitment either of an IPPP or of an NPPP.

60 . In practice, NPPP are selected by Governments 16/ in consultation with the resident representatives/co-ordinators or the regional representatives of the agencies; the names of the successful candidates are then submitted to the executing agency which makes the appointment. On the other hand, the regulations of UNDP do not contain any provision enabling the executing agency concerned to exercise a right of control, and even less a right of veto.

15/ Revised PPM. See the section devoted to NPPP's recruitment policy.

16/ The procedure for the recruitment of NPPP differs from country to country: some countries hold competitive examinations or use advertising to fill NPPP posts. Others appoint NPPP without a competitive examination on the basis of their own criteria.

61 . In addition, neither the Governments nor the agencies have lists (rosters) of NPPP or systems for the evaluation of their performance, and the recruitment is based solely on the statements of the candidates. Mention should be made here of an informal procedure adopted by some organizations that, were it to become general, could resolve the difficulties inherent in the selection of NPPP without too many formalities: the procedure is one of the convening at regular intervals of mixed national panels made up of representatives of the Government, the UNDP resident representative/ United Nations resident co-ordinator, and representatives of the agencies. It is the duty of these panels to review the applications before any NPPP appointment so as to engage the best qualified.

2. The actual cost of NPPP

62 . Whereas the monthly salary of more than 80 per cent of NPPP falls within the $800 to $2,000 range 17/, the salary of an IPPP may reach $15,000, on top of which there may be quite appreciable benefits in kind (vehicle, driver, travelling expenses, per diem) 18/.

63 . These differences inevitably raise all kinds of problems. They may be sources of frustration and of difficult relationships between NPPP and IPPP, especially if an NPPP and an IPPP working on the same project have the same qualifications from the universities, and have a comparable career record, and if indeed in some cases the NPPP is more "qualified" academically and in other respects than the IPPP.

64 . In our opinion the ACC was quite correct to comment that, from a moral standpoint, it was quite unjust and contrary to basic humanitarian principles that the United Nations should resort to such discriminatory practices 19/.

17/ See DP/1988/19/Add.1, p. 10.

18/ As invoiced by UNDP, the monthly cost of IPPP ranges from $3,000 to $15,000.

19/ See ACC/1987/OP/CRP.3, p. 13.

65 . It has, however, to be admitted that, whereas the salaries received by NPPP are relatively low by comparison with those of IPPP, they are invariably higher than those of the equivalent national officials. This creates an additional source of conflict between NPPP and their former colleagues in the ministry or institution that supervises the project.

66 . However that may be, NPPP may prove more costly for the recipient Government than it might appear, for four reasons:

67 . In the first place, charging the salary of NPPP to the project budget may take the form of allocating a scarce resource (hard currency allocated to the country by the system) to payment for a local factor of production, that is available anyway, and for which payment may be made in local currency. It could prove to be wiser to set aside the amounts allocated for the salary of NPPP for the acquisition of expertise or equipment, or for training that, although indispensable, is unavailable in the country.

68 . In the second place, if the main reason prompting the Government to use NPPP is the wish to make economies on its own budget by having the United Nations systems pay the salaries of some NPPP, it should be seen whether there may not be other categories of experts who might be even less expensive than NPPP, for example expatriate nationals, TOKTEN 20/, who might be agreeable to make themselves available to their country practically without remuneration.

69 . In the third place, the employment of NPPP, which is presented as a means of enabling the Government to retain national experts in the country by offering them from time to time an NPPP post that is better remunerated than the average for national officials, may have the opposite result and encourage an emigratory brain drain. According to recent surveys, more than 60 per cent of NPPP take advantage of the fact that their appointment to a project gives them a better knowledge of the United Nations system to apply for IPPP vacancies abroad, and 20 per cent of them leave the country.

20/ Transfer of Knowledge Through Expatriate Nationals.

70 . In the fourth place, the placing of a large number of officials as NPPP is sometimes presented as contributing to a reduction of managerial and executive unemployment. In fact, the few tens or hundreds of NPPP that the United Nation system may recruit for a few months in each country represent on average no more than one in ten thousand, or even one in one hundred thousand of the national officials.

71 . For the agencies, use of NPPP also involves additional costs that are in the final analysis indirectly charged to the countries. Seminars organized in the headquarters or in the countries, and study tours for NPPP and ND cost an average of $4,000 per person, an amount which is deducted in the final analysis from the IPF of the country concerned. Furthermore, some agencies are obliged to increase their supporting personnel in the field, especially in countries in which there are considerable numbers of NPPP. Although the cost of these posts is generally charged to the regular agency budget, it is a deduction from the sums that would otherwise be allocated to technical co-operation. Lastly, the employment of NPPP does cause the agencies to incur other indirect costs, such as expenditure on the collection of data concerning this category of experts and on the preparation of reports to the legislative bodies on the employment of NPPP and the problems that it raises.

3. NPPP or the creation of a less favoured category of personnel

72 . Let us also recall that for several organizations NPPP still do not have any legal existence, do not enjoy any status and do not figure in the statistics of the agencies that employ them. It is for this reason that they are sometimes referred to as "non-staff" in contrast to IPPP or to Secretariat officials who are members of the "staff".

73 . We have seen that some NPPP are directly recruited by the regional representatives of the agencies, without the agencies themselves being given detailed information. In practice, and as a general rule, NPPP are paid a lump sum laid down in a special contract and have no right to any of the benefits (sickness insurance, pension, education grant, etc.) awarded to international experts or regular officials of the United Nations system. Furthermore, during their period of secondment (more than 80 per cent of NPPP are drawn from the administration), they may lose all the benefits connected with their post. In order to offset these losses, they demand that they

should be given the same status as other categories of international civil servants. Some agencies are beginning to grant the demands of NPPP by setting up health insurance and other social benefits for them, thus giving NPPP the same de facto status as other recognized categories of United Nations personnel.

74 . However, given that the salaries offered to NPPP by the United Nations are very low by comparison with those paid to nationals by bilateral co-operation projects or by multinational companies, the best national experts gravitate initially towards them. Thus, the United Nations, which has succeeded only in attracting a less favoured category of officials since the financial crisis in the mid-eighties, runs the risk of being unable to recruit only low category NPPP.

75 . Be that as it may, the general trend is towards the gradual recognition that NPPP exist as a specific category of United Nations personnel, even if they are second zone personnel. The other characteristic feature is the diversity of the regulations adopted by the various organizations of the United Nations system regarding their NPPP, with the result that there is appreciable divergence in the remuneration of NPPP holding similar posts or carrying out comparable duties in the same country merely because of the fact that they come under different funds and agencies of the United Nations system.

76 . The possibility of establishing a separate category for NPPP as originally foreseen by paragraph 8 of UNDP decision 79/48 could be explored. In establishing such a category, account will have to be taken of the new arrangements with regard to project execution. As contained in the framework decision 90/26 of the Governing Council and decision 90/21, as well as General Assembly resolution 44/211, the introduction of national execution on a large scale will become the norm. This, of course, does not imply that implementation will not involve international inputs to a considerable extent. It will hopefully help in re-focussing the debate on national responsibility for its non-development projects. Moreover, there is a likelihood that expertise will be provided increasingly on a short-term basis. Additional categories of technical services are provided under such arrangements as United Nations Short-Term Advisory Resources (UNSTAR) and TOKTEN. In other words, greater competition exists in the provision of technical services and

it is probably no longer relevant to consider the use of staff rules established for Secretariat personnel to cover future technical services. A more flexible approach seems essential.

4. National Directors (ND) and the embodiment of the authority of the host country

77 . The justification for the fact that more and more ND are nominated to head projects financed by UNDP and some other projects for which the agencies are responsible is the desire of the host country to assert, and to provide itself with the means of establishing its sovereignty firmly over all projects carried out with the aid of foreign assistance, including those carried out in the context of technical co-operation with the United Nations system. Although there are for ND definite advantages to being the head of a United Nations project, it is not certain that the country derives substantial benefit from it.

78 . The list of the disadvantages of such a procedure for the country is likely to be a long one. The greatest harm is due to the fact that projects have been extended in some cases not in order to achieve a priority objective of the country, but merely to enable some ND to hang on to their jobs. Another less serious, but equally important disadvantage is the large number of trips undertaken by some ND simply in order to get the daily subsistence allowance to which they are entitled under the project.

79 . In general, the ND is also the director of the ministerial department or national institution that supervises the project. It cannot be categorically asserted that this means that he is the country's most qualified or best expert in his field.

80 . Furthermore, at the end of technical co-operation for the carrying out of a project the ND is required to submit a final report giving his opinion not merely from the technical point of view, but also at the level of the general development policy of his sector. It is by no means certain that the Government or the agencies can hope to receive an objective assessment merely because it is difficult for the ND to be both judge and judged.

81 . The nomination of an ND is often a source of problems for the agencies. In the first place, there is no regulation obliging a host Government to maintain an ND as the head of a project from its beginning until its final phase: it often happens that an ND is called upon to take up other duties during the term of his appointment. Furthermore, most ND do not carry out their co-ordinating duties full-time.

82 . For the host Government the nomination of an ND as the head of a United Nations project does not always signify a strengthening of the authority of the Government over the project; the outcome is often the opposite. The ND, who does not have the right either to commit the project budget nor to authorize expenditure as a Certifying Officer, realizes that his power, and through him that of the State, is remarkably circumscribed. The international civil servant, the Chief Technical Advisor (CTA), who provides the day-to-day management of the project and has the right to undertake expenditure, is the one who ultimately holds the real power. Some ND could have that right, but because the Government does not wish to be the final guarantor for the management of the project, some of the agencies concerned oblige the ND to have all expenditure countersigned by an international civil servant. As can be seen, the authority and the responsibility both of the Government and of the ND are obscured and watered down.

C. Conclusions and recommendations

83 . The employment of an ever-increasing number of NPPP does not find the same justification in the opinion of the host countries. It is rarely based on a prior analysis to show that, by comparison with the use of international expertise, it enables the objectives of technical co-operation for development to be achieved more effectively. A slightly deeper examination even shows that in some cases the employment of NPPP is not entirely advantageous. The drawbacks of such a policy may even be very serious: non-optimum allocation of scarce currency resources, the selection of some projects on the basis of criteria that are far removed from the priority needs, disturbance to the relationships between national experts and Government officials, etc.

84 . The studies, evaluations and reports that have so far been produced have been concerned with divising better regulation and harmonization of the use of NPPP within the United Nations system, but have only occasionally been concerned with outlining the basis of a policy relating the choice between NPPP and IPPP (or the use of the two categories of experts in specified proportions) to the realization of specific development objectives through technical co-operation.

85 . It would be extremely useful to make a serious re-examination of the part played by NPPP, on the one hand, and of IPPP, on the other, as vectors of technical co-operation for development.

86 . We are of the opinion that the starting point for such a re-examination would be to take clear and generally accepted criteria, adjusting them to the various situations that may exist in a developing country. To that end, one could proceed to identify the following sectors within developing countries:

(a) those for which the countries concerned have the necessary technology (equipment, experts, training, infrastructures, etc.) available locally, which would relieve them of the need to call upon international expertise (it will be found that these are generally traditional sectors or old sectors using a technology that has become standard and available in most developing countries);

(b) slightly more advanced and more sophisticated sectors for which the countries concerned need some international expertise although they do possess a considerable basis and resources in technology, manpower and equipment; and

(c) completely new sectors, in which the countries concerned are completely deficient as regards technological means and institutional infrastructures and for which they must have the advantage of international expertise for some time.

87 . As time passes, it will be realized that the situation is changing in these various groups of sectors: the classical sectors in which developing countries were self sufficient increase in number, at the same time as new and more advanced sectors appear, giving rise to a continuous progression from sector (a) to (b) and subsequently to (c).

88 . The United Nations system should therefore regularly update lists of sectors (a), (b) and (c) in the light of the continuous and progressive transition from one sector to the other, so as to modify the programmes and projects of the United Nations system, to ascertain the needs for local and international expertise and, if possible, to quantify them and to produce quite detailed job descriptions of the experts required, sector by sector and, possibly, to draw up a list of projects to be earmarked for technical co-operation with the United Nations system, distinguishing between those to be carried out solely by international experts, or jointly by international and national experts, or to be entrusted in their entirety to the recipient countries to be carried out by the Government execution procedure or by subcontracting to an institution. A distinction could also be drawn between projects that employ international personnel in the initial phase, while they employ international and national personnel in the second phase, and are executed by the Government and national experts in the third.

89 . This general outline should take specific situations into account, such as those of: (a) least developed countries (LDC), which could have national experts on the spot, but would not have sufficient financial resources to pay out of the State budget the national counterparts seconded to work with IPPP. Were LDC to be able to make use of NPPP or ND paid for out of the project budget, that would help to ease the burden on them; (b) countries with considerable financial surpluses that would be prepared themselves to finance the acquisition of IPPP, i.e. countries where the difference of cost between NPPP and IPPP would not be the decisive factor; (c) countries having a plentiful supply of national experts in the three sectors referred to in the previous paragraphs, but that could be confronted with a shortage of currency. It is in these countries in particular that the optimum allocation of hard currency in connection with the employment of NPPP and IPPP would present a more acute problem.

90 . Against the background of this general outline and taking into account the analysis made in Part Two, we make the following recommendations:

Recommendation No. 3

Within the framework of a continuously updated analysis adapted to each recipient country and in the light of the progress made in the development of that country, as well as of the progressive movement of its economy from sectors that have become standard or traditional towards increasingly complex and sophisticated sectors, the United Nations system should:

(a) devote technical co-operation funds to paying for the transfer of expertise by the use of international experts whenever such expertise is lacking in the country, when it is essential that it should be acquired, and when it corresponds to a priority need that cannot be satisfied by resorting to national expertise;

(b) mobilize more local resources in expertise and in qualified personnel, making increasing use of Government execution and subcontracting to national institutions. While these procedures mobilize national expertise, they should not involve any change in the status of national experts or the awarding of any salary supplements or benefits in kind and should not give rise to conflicts like those that sometimes spring up between NPPP and other national officials; and

(c) make more frequent and more extensive use of the expert capacity of developing countries by mobilizing many more experts from those countries as international experts employed in their own region and in the framework of technical co-operation among developing countries (TCDC), rather than using every expert in his own country as an NPPP.

Recommendation No. 4

The sovereignty of the host country and its authority over technical co-operation projects would be more effectively exercised were the United Nations system to make more efficient the use of ND by, on the one hand, working out country programmes based on a better definition of development objectives, and by ensuring a better match between these objectives and technical co-operation projects to ensure that they are more closely integrated with the trends pursued by the Government.

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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Letter dated 23 May 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, and pursuant to our recent letters concerning Israeli acts of aggression and movements in southern Lebanon, I hereby inform you of the latest developments in this respect.

Over the past two days, Israel has reinforced its positions in southern Lebanon by amassing approximately 2,000 troops, supported by 100 military vehicles, including 40 Merkava tanks and 40 M-113 personnel carriers. They crossed the border and established a command centre at the village of Kfarhuna near the town of Jezzine. These Israeli movements have given rise to a state of alarm and tension in the area in particular and in Lebanon in general.

Similarly, on 22 May 1991, the Israeli forces shelled the village of Shakra adjacent to the so-called "security zone". This caused the deaths of two women, Inaya and Dalal al-Khatib, and their mother was badly wounded.

The Lebanese Government once again deplores and condemns these grave Israeli acts of aggression and practices, and considers them a flagrant act of interference aimed at obstructing the efforts towards solution and salvation being pursued [by the Lebanese Government] in order to unify the country and extend its authority to all Lebanese territory.

This latest Israeli escalation on Lebanese territory, in particular at this juncture, calls for international action by the Security Council - and

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* A/46/50.

especially by the five permanent members - to put an end to this blatantly aggressive policy and to implement resolution 425 (1978), which calls upon Israel to withdraw its forces from all Lebanese territory and to restore southern Lebanon as an area of peace and security under the authority of the Lebanese State and with the assistance of the international forces.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative